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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,978	05/25/2001	Masood Mortazavi	SUN1P820/P5884	6345
22434	7590	08/25/2005	EXAMINER	
BEYER WEAVER & THOMAS LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			EL HADY, NABIL M	
			ART UNIT	PAPER NUMBER
			2152	

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/865,978

Applicant(s)

MORTAZAVI ET AL.

Examiner

Nabil M. El-Hady

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/5/2005 has been entered.

2. Claims 1-44 are pending in this application.

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 31-37 and 38-42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter "an enterprise environment".

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The following phrases are not clearly understood, rendering the claims vague or indefinite:

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a) "registering an exception listener object-oriented component on an asynchronous proxy associated with the second component", claim 10, lines 10-11; claim 25, lines 10-11; claim 38, lines 10-11; and claim 44, lines 10-11; it is not clearly understood what is associated with the second component, is it the exception listener or the asynchronous proxy, and if it is the second component, then it should be clear that it is associated with its invocation.

B. The following have no antecedent basis:

a) "the first server", claim 10, line 5; claim 25, line 6; claim 38, line 6; claim 44, line 5;

b) "the second object-oriented component", claim 25, line 6; claim 38, lines 6-7; claim 44, line 6;

c) "the first object-oriented component", claim 28, line 6; claim 44, line 5.

7. Claims 1, 3-9, 16, 18-24, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over iplanet Application Server 6.0 White Paper, Technical Reference Guide, Sun Microsystems, May 25, 2000, hereafter "Sun" in view of Reynolds et al. (Threads: A programming Construct for Reliable real-time Distributed Computing), hereafter "Reynolds".

8. Sun and Reynolds are cited by the applicant in IDS papers files on 11/21/2003 and 1/14/2004.

9. As per claims 1, 16, and 43, Sun teaches a computer-implemented method for a first component to invoke a second component asynchronously in an object-oriented

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computing environment, the computer-implemented method comprising: receiving a request from a first object-oriented component to invoke a second object-oriented component (e.g. page 22, and page 23, iplanet Application Server diagram); maintaining the scope of the received request (page 23, lines 1-5), providing a thread for identifying the received request and invoking the second component (page 26, lines 1-15).

10. Sun does not explicitly disclose the thread identifies an exception Listener object-oriented component for handling exceptions associated with the invocation of the second component. Reynolds, on the other hand, discloses an exception Listener object-oriented component for handling exceptions associated with the invocation of the second component (Sec. 5, Exceptions, Sec. 5.1, Exception specification, and Sec. 5.2 Exception handling). It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Sun and Reynolds because Reynolds providing of an exception handling object-oriented component would complement the invocation nature of a component discloses by Sun and allow the exception object to work well with a typical distributed environment. In addition, Exception handling would provide the programmer with a means of coping with the asynchronous exceptions that commonly occur within large, complex distributed real-time system (see, Reynolds, Sec. 5.1).

11. As per claims 3 and 18, Sun discloses the request is associated with no application specific exceptions (e.g. page 91, "Enterprise Connectors).

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12. As per claims 4 and 19, Sun discloses the first and second components reside in environment allowing components to directly invoke other components (e.g. page 9, "improved Performance, Scalability and Reliability).

13. As per claims 5 and 20, Sun discloses the first and second components are Enterprise Java Bean components (e.g. page 12, "Application Model").

14. As per claims 6 and 21, Sun, discloses the first and second components are associated with a container (e.g. page 28, "Services Hosted by KJS Only", EJB container).

15. As per claim 7, Sun discloses placing the request from the first component in a queue (e.g. page 26, lines 1-11).

16. As per claim 8, Sun discloses the worker thread dequeues the received request after receiving a transaction commit signal from the container (e.g. page 44, "How the Servlet Engine Allocates Resources).

17. As per claim 9, Reynolds discloses the exception Listener receives the exception and the scope of the exception. (Sec. 5.1, Exception Specification).

18. Claims 2 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sun in view of Reynolds as applied to claims 1, 3-10, 12-16, 18-25, 27-31, 33-38, and 40-44 above , and further in view of Katrina E. Kerry Falkner et al., Implementing Asynchronous Remote Method invocation in Java, July 2, 1999, hereafter" Falkner".

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19. As per claims 2 and 17, Sun and Reynolds do not specifically disclose the request has a return type of void. Falkner, on the other hand, discloses the request has a return type of void (e.g. page 4, "package Server Tests" AsynchI method). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Sun, Reynolds and Falkner. The motivation would have been to invoke a component without returning any value; hence using a void return type.

20. Claims 10, 25, 38, and 44 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

21. Claims 11-15, 26-30, and 39-42 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

22. Applicant's arguments filed 8/5/2005 have been fully considered but they are not persuasive to regarding claims 1, 16, and 43.

23. In the remarks, applicants asserts that the Sun reference does describe asynchronous invocation of an object-oriented component by another object-oriented component, However, applicant argued in substance that 1) neither COBRA or any other reference teach or suggest an object invocation model where an exception listener is registered on an asynchronous proxy.

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24. Examiner respectfully traverses applicants' remarks.


25. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., an object invocation model where an exception listener is registered on an asynchronous proxy) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil M. El-Hady whose telephone number is (571) 272-3963. The examiner can normally be reached on 9:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

August 21, 2005


Nabil El-Hady, Ph.D, M.B.A.
Primary Examiner
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